

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1400 Session of 2023

INTRODUCED BY KENYATTA, MADDEN, DEASY, SANCHEZ AND HILL-EVANS,  
JUNE 13, 2023

REFERRED TO COMMITTEE ON LIQUOR CONTROL, JUNE 13, 2023

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled "An  
2 act relating to alcoholic liquors, alcohol and malt and  
3 brewed beverages; amending, revising, consolidating and  
4 changing the laws relating thereto; regulating and  
5 restricting the manufacture, purchase, sale, possession,  
6 consumption, importation, transportation, furnishing, holding  
7 in bond, holding in storage, traffic in and use of alcoholic  
8 liquors, alcohol and malt and brewed beverages and the  
9 persons engaged or employed therein; defining the powers and  
10 duties of the Pennsylvania Liquor Control Board; providing  
11 for the establishment and operation of State liquor stores,  
12 for the payment of certain license fees to the respective  
13 municipalities and townships, for the abatement of certain  
14 nuisances and, in certain cases, for search and seizure  
15 without warrant; prescribing penalties and forfeitures;  
16 providing for local option, and repealing existing laws," in  
17 distilleries, wineries, bonded warehouses, bailees for hire  
18 and transporters for hire, further providing for exemptions.

19 The General Assembly of the Commonwealth of Pennsylvania  
20 hereby enacts as follows:

21 Section 1. Section 502 of the act of April 12, 1951 (P.L.90,  
22 No.21), known as the Liquor Code, is amended to read:

23 Section 502. Exemptions.--(a) No license hereunder shall be  
24 required from any registered pharmacist; or a physician licensed  
25 by the State Board of Medicine; or any person who makes and  
26 sells vinegar, nonalcoholic cider and fruit juices; or any

1 person who manufactures, stores, sells or transports methanol,  
2 propanol, butanol and amanol; or any person who conducts a  
3 wholesale drug business; or any person who manufactures  
4 alcoholic preparations not fit for use as a beverage, other than  
5 denatured alcohol or for beverage purposes; any person engaged  
6 in the manufacture; possession or sale of patent, patented or  
7 proprietary medicines, toilet, medicinal or antiseptic  
8 preparations unfit for beverage purposes, or solutions or  
9 flavoring extracts or syrups unfit for beverage purposes; or any  
10 person who manufactures or sells paints, varnishes, enamels,  
11 lacquers, stains or paint, or varnish removing or reducing  
12 compounds, or wood fillers; or any person who manufactures any  
13 substance where the alcohol or any liquor is changed into other  
14 chemical substances and does not appear in the finished product  
15 as alcohol or liquor; or any common carrier by railroad which is  
16 subject to regulation by the Pennsylvania Public Utility  
17 Commission of the Commonwealth of Pennsylvania, or scheduled  
18 common carriers by air of mail and passengers; or any person who  
19 sells, stores or transports alcohol or liquor completely  
20 denatured, as specified by the board; or any person licensed  
21 under Article IV for malt and brewed beverages who manufactures,  
22 distills or otherwise produces alcohol as a byproduct of the  
23 manufacture of any reduced alcohol or nonalcohol malt or brewed  
24 beverage if the byproduct is not intended nor used as a beverage  
25 for human consumption except as part of the malt or brewed  
26 beverage.

27 (b) Any retail dispenser who, for sale at retail and not for  
28 transfer to any other location of the retail dispenser, as part  
29 of a preexisting written agreement with a distributor which  
30 specifies the retail dispenser's licensed premises as the

1 receiving location and within the same franchise territory, has  
2 purchased not more than twenty-one (21) cases or three (3) kegs  
3 of malt and brewed beverages in packages of original containers  
4 in any forty-eight-hour period, may use the retail dispenser's  
5 own vehicle for transport while returning the product directly  
6 to its place of business.

7 Section 2. This act shall take effect in 60 days.